

STATE OF CONNECTICUT
REGULATION
OF

Page 5 of 15 pages

NAME OF BILL

Department of Public Utility Control

SECTION _____

(NEW)

Section 16-333-9j. Maximum late charge penalty

No late charge imposed by a CATV company shall exceed eight percent per annum of the balance due.

(NEW)

Section 16-333-9k. Return check charge

Any return check charge imposed by a CATV company shall be reasonably related to the company's actual cost of processing returned checks.

(NEW)

Section 16-333-9l. Customer complaint procedure

Any CATV subscriber shall have forty-five days from the billing date contained on the subscriber's bill in which to register a complaint with a CATV company with respect to any alleged billing error or dispute. A billing complaint may be registered in person at the company's business office, by telephone or by mail.

(NEW)

Section 16-333-9m. Company response to customer complaints

The CATV company shall provide an initial response, oral or in writing, to the subscriber not later than three days after receipt of said complaint. The company shall then provide a written proposal of the disposition of the complaint to the subscriber not later than fifteen business days following the company's receipt of the complaint.

(NEW)

Section 16-333-9n. Procedures to contest disposition of complaint.

The subscriber shall have ten days, from the receipt of the company's proposed disposition of the complaint, to contest the disposition. The notification by the customer that he is contesting the proposed disposition may be submitted in writing, in person at the company's business office, mailed to the company's business office or made by telephone to the company's business office. The subscriber may present the company with additional information concerning the complaint. If additional information is presented by the customer to the company, the company shall review that information.

(NEW)

Section 16-333-9o. Company response to contested disposition of complaint.

Per POT 1/30/92,
this A doesn't apply to
all complaints but is
limited to "refunds +
credits for service
interruptions" (9f) and
"billing errors or disputes"
(9e). Also, if a
corrected bill is sent
within 15 business
days of the complaint,
that satisfies the
"written proposal
of the disposition"
requirement. If it
doesn't, the co. has
to write.

STATE OF CONNECTICUT
REGULATION
OF

Page 6 of 15 pages

Department of Public Utility Control

SECTION _____

When a customer has contested a company's proposed disposition of a complaint, as described in 16-333-9n above, the company shall review any additional information provided and notify the subscriber by first class mail of the company's final disposition within fifteen days of the date the subscriber contested the company's written proposal of disposition. Notice of the subscriber's right to appeal to the Department and the Department's address shall be included in the company's final disposition. Service to the customer shall not be terminated pending the outcome of the Department's review provided the subscriber shall pay current and undisputed bill amounts during the pendency of the complaint. No further notice of termination is required.

Section 3

Section 16-333-10 of the Regulations of Connecticut State Agencies is amended to read as follows:

Section 16-333-10. [Disconnections] TERMINATION FOR NON-PAYMENT

~~[Service disconnections for nonpayment of charges may be made only after ten-day written notice has been furnished to the defaulting subscriber.]~~ NO CATV COMPANY SHALL DISCONNECT SERVICE TO A SUBSCRIBER FOR NON-PAYMENT OF A DISPUTED BILL DURING THE PENDENCY OF ANY BILLING COMPLAINT, PROVIDED THE SUBSCRIBER SHALL PAY CURRENT AND UNDISPUTED BILL AMOUNTS DURING THE PENDENCY OF THE COMPLAINT. ANY ACTION TAKEN UNDER THIS SECTION SHALL BE IN ACCORDANCE WITH THE PROCEDURES CONTAINED IN SECTION 16-333-9I OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES.

Section 4

The Regulations of Connecticut State Agencies are amended by adding Section 16-333-10a:

(NEW)

Section 16-333-10a. Department of Public Utility Control Review

The Department of Public Utility Control, upon written request of the subscriber, may review the company's disposition of a billing complaint. The Department may review the procedures the company followed and the issues involved in the complaint and may prescribe and make such orders as the Department deems reasonable and necessary to resolve the complaint.

Section 5

Section 16-333f-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

STATE OF CONNECTICUT
REGULATION
OF

Page 7 of 15 pages

NAME OF AGENCY
Department of Public Utility Control

SECTION _____

Section 16-333f-2. Notification required

Each franchise holder shall notify the Department, [and] the Chairperson of its Advisory Council, EACH SUBSCRIBER AND THE CHAIRPERSONS OF THE JOINT STANDING COMMITTEE ON ENERGY AND PUBLIC UTILITIES, in writing, [at least 45] NOT FEWER THAN 45 days in advance of the implementation date of any [PPC] PLANNED PROGRAM CHANGE.

Section 6

Section 16-333f-3 of the Regulations of Connecticut State Agencies is amended to read as follows:

Section 16-333f-3. Exceptions to 45 day notice

THE NOTIFICATION REQUIREMENT PURSUANT TO SECTION 16-333f-2 SHALL BE IN EFFECT UNLESS (1) SUCH PLANNED PROGRAM CHANGE IS REQUIRED BY LAW TO BE MADE IN FEWER THAN FORTY-FIVE DAYS, OR (2) THE DEPARTMENT PRESCRIBES A LONGER OR SHORTER PERIOD.

Should the franchise holder become aware [of events] that [may prompt implementation of] a [PPC] PLANNED PROGRAM CHANGE MUST, BY LAW BE IMPLEMENTED in [less than] FEWER THAN 45 days, the holder shall notify the Department, [and] the Chairperson of the Advisory Council AND THE CHAIRPERSONS OF THE JOINT STANDING COMMITTEE ON ENERGY AND PUBLIC UTILITIES, IN WRITING, within 2 days of [receipt of said information and provide with said notice whatever information is reasonably available pursuant to Section 16-333f-2] THE FRANCHISE HOLDER'S BECOMING AWARE THAT THE PLANNED PROGRAM CHANGE MUST, BY LAW, BE MADE IN FEWER THAN 45 DAYS. THE FRANCHISE HOLDER SHALL, IN THE NEXT BILL OR BY SEPARATE NOTICE WITHIN THE NEXT BILLING PERIOD, INFORM, IN WRITING, EACH SUBSCRIBER OF THE PLANNED PROGRAM CHANGE. SAID NOTICES TO THE DEPARTMENT, THE ADVISORY COUNCIL CHAIRPERSONS, THE STANDING COMMITTEE ON ENERGY AND PUBLIC UTILITIES AND SUBSCRIBERS SHALL INCLUDE AN EXPLANATION OF WHY THE PLANNED PROGRAM CHANGE MUST BE IMPLEMENTED WITH FEWER THAN 45 DAYS NOTICE.

THE DEPARTMENT MAY, UPON APPLICATION OF THE FRANCHISE HOLDER SHOWING GOOD CAUSE AS TO WHY THE PLANNED PROGRAM CHANGE MUST BE IMPLEMENTED IN FEWER THAN 45 DAYS, PRESCRIBE, ON A CASE BY CASE BASIS, LONGER OR SHORTER NOTICE PERIODS WHERE THE DEPARTMENT BELIEVES SUCH LONGER OR SHORTER NOTICE PERIOD IS IN THE BEST INTEREST OF THE SUBSCRIBERS.

Section 7

The Regulations of Connecticut State Agencies are amended by adding Sections 16-333-38 through 16-333-45 inclusive, as follows:

STATE OF CONNECTICUT
REGULATION
OF

Page 8 of 15 pages

Department of Public Utility Control

SECTION _____

(NEW)

Section 16-333-38. Informal Renewals

(a) A franchise holder may submit an application to the Public Utility Control Authority for approval of a proposal for the renewal, extension, or transfer of a certificate, pursuant to Connecticut General Statutes section 16-331, at any time. A proposal for renewal, extension or transfer of a certificate submitted under this section of the regulations shall not be complete unless it contains information as required by section 16-333-40(b) of these regulations. Such information shall be provided either in the statement of application or as exhibits annexed thereto and accompanying the application.

(b) Upon submission of the proposal for renewal, extension or transfer of a certificate by a franchise holder pursuant to this section of the regulations, the Department may, after holding a public hearing and consulting with the Advisory Council, grant or deny such proposal at any time, including after proceedings pursuant to section 16-333-39 of these regulations have commenced.

(c) The denial of a renewal, extension, or transfer of a certificate proposal submitted under this section shall not affect action on any proposal that is submitted in accordance with section 16-333-39 of these regulations.

(NEW)

Section 16-333-39. Formal Renewal Proceedings, Initial Procedures

(a) During the 6-month period which begins with the 36th month before and ends with the 30th month prior to the expiration of the franchise, the Department may on its own initiative, and shall upon request of the franchise holder, commence proceedings for renewal of a franchise.

(b) Upon the request of the franchise holder or upon its own motion pursuant to the provisions of section 16-333-39(a) of these regulations, the Department shall commence a proceeding, after affording the public in the franchise area appropriate notice, after holding a public hearing and in consultation with the affected local Cable Advisory Council, for the purpose of:

(1) identifying the future cable-related community needs and interests; and

(2) reviewing the performance of the franchise holder during the then current franchise term.

STATE OF CONNECTICUT
REGULATION
OF

Page 9 of 15 pages

Department of Public Utility Control

SECTION _____

(c) Upon the request by the franchise holder or upon order from the Department to commence a proceeding for a renewal, extension or transfer of a certificate pursuant to this section, the franchise holder shall file the following information with the Department:

- (1) a copy of the current safety manual in use by the company;
- (2) copies of proof-of-performance tests performed during the preceding three years;
- (3) a copy of the franchise holder's Federal income tax returns for the previous three years;
- (4) a copy of the State of Connecticut corporation business tax returns for the previous three years;
- (5) information regarding State of Connecticut Gross Receipts tax for the previous three years;
- (6) information regarding the amount of municipal or local property taxes paid for each of the previous three years;
- (7) the annual reports of the franchise holder, and holding company which controls the franchise holder, if applicable, for each of the previous three years;
- (8) a statement of the financial condition of the franchise holder and holding company which controls the franchise holder, if applicable;
- (9) current system maintenance practices;
- (10) information as to current customer service and protection practices and procedures, including information as to the franchise holder's practices and procedures for responding to customer inquiries and complaints including a summary of subscriber complaints, by category for the previous three years; penalties imposed for interrupted service, if any, during the course of the franchise term; disconnection practices, rebates, credits, repair and response deadlines; billing information; and procedures to ensure subscribers' right to privacy;
- (11) current means to monitor performance and compliance with franchise terms;
- (12) results of a subscriber satisfaction survey conducted within the 12 months prior to commencement of the renewal process;

STATE OF CONNECTICUT
REGULATION
OF

Page 10 of 15 pages

NAME OF AGENCY

Department of Public Utility Control

SECTION _____

(13) statement of number of dwelling units in franchise area, the number of dwelling units connected for service, and the number of dwelling units passed;

(14) summary of all significant service interruptions and reasons therefore for the last three years;

(15) current services provided for Public, Educational and Governmental programming including the funds expended for such services, the equipment provided, and training programs conducted for the public;

(16) current services provided for the handicapped;

(17) current equal opportunity and affirmative action policies;

(18) insurance coverage currently in effect and the renewal dates for said coverage; and

(19) such other information as the Department may deem as appropriate.

(d) The Department shall complete the proceeding initiated under this section in the case of a renewal application, no later than the 4th month prior to the franchise expiration date.

(NEW)

Section 16-333-40. Proposal for Renewal-Submission

(a) Upon completion of the proceeding under section 16-333-39 of these regulations, the franchise holder may on its own initiative and upon request of the Department submit a Proposal for Renewal.

(b) The proposal for franchise renewal, extension, or transfer shall include, but not be limited to information as to how the franchise holder intends to adequately meet the cable-related community needs and interests, including information as to:

(1) proposed system upgrades for greater channel capacity and advanced technological improvements and anticipated effect on subscriber basic rates for the next three years;

(2) proposed construction financing arrangements;

(3) proposed construction timetable and practices including proposed line extension throughout the franchise area;

STATE OF CONNECTICUT
REGULATION
OF

Page 11 of 15 pages

NAME OF AGENCY
Department of Public Utility Control

SECTION _____

- (4) proposed facilities and equipment including system capabilities, design, and technical performance standards;
 - (5) proposed mix, quality, and level of services;
 - (6) proposed channel capacity for Public, Educational and Governmental use, including access channels, facilities, support services, staff for the access studio and training of the public in use of equipment;
 - (7) proposed system maintenance practices;
 - (8) proposed means to monitor performance and enforce compliance with franchise terms for the renewed franchise;
 - (9) proposed provisions for services for the handicapped;
 - (10) a statement confirming that the franchise holder has the financial ability to comply with provisions of its proposal for renewal;
 - (11) proposed term of franchise and service area;
 - (12) proposed equal opportunity and affirmative action policies;
 - (13) proposed insurance coverage, and
 - (14) such other information as the Department, after completion of the proceeding pursuant to section 16-333-39, may deem appropriate.
- (c) Upon submission of the cable operator's proposal the Department must:
- (1) promptly provide notice to the public that the proposal has been submitted for consideration;
 - (2) commence evaluation of the proposal and, within four months of the completion of the proceeding under section 16-333-39 of these regulations, the Department must either issue a decision to renew, extend or transfer the certificate or issue a preliminary finding that the application for the renewal, extension or transfer shall be denied.
- (d) If a preliminary decision not to renew has been issued, the Department must commence a further review proceeding as provided in section 16-333-41 of these regulations.

STATE OF CONNECTICUT
REGULATION
OF

Page 12 of 15 pages

Department of Public Utility Control

SECTION _____

(NEW)

Section 16-333-41. Administrative Proceeding for Renewal Criteria and Procedure

(a) If the Department, after evaluation of a franchise holder's proposal pursuant to section 16-333-40(c)(2) of these regulations, makes a finding that the franchise should not be renewed, a hearing shall be scheduled where the qualifications of the franchise holder shall be evaluated in accordance with the following criteria:

(1) whether the franchise holder has been in substantial compliance with the material terms of the franchise and applicable law;

(2) whether the quality of the cable service is reasonable in light of the community needs;

(3) whether the franchise holder has the financial, legal, and technical qualifications to deliver on its renewal proposal;

(4) whether the renewal proposal is reasonable to meet the future community needs and interests considering the costs.

(b) The hearing under this section of the regulations must commence within the four month period after conclusion of the initial assessment proceeding pursuant to section 16-333-39 of these regulations. Prompt notice must be issued to the public although participation is limited to the franchising authority and the franchise holder.

(c) During the review proceeding the franchising authority and the franchise holder have the right to full participation including the right to introduce evidence, conduct discovery, issue subpoenas, cross-examine witnesses, and request a transcript.

(d) Upon completion of the hearing under this section, the Department must issue a written decision based on the record and setting forth the reasons for the granting or denial of the renewal, and transmit said decision to the franchise holder. Any decision of denial shall be based on an adverse finding on at least one of four criteria as stated in section 16-333-41(a)(1) through 16-333-41(a)(4) of these regulations, provided that if the adverse finding is of substantial failure to comply with a material franchise term or service quality, prior notice and opportunity to cure must have been given to the franchise holder. Any adverse finding shall be deemed void if the franchising authority waived its right to object to the infraction or acquiesced in the commission of the infraction.

(e) The final decision to grant or deny the renewal must be rendered prior to the expiration date of the franchise.

STATE OF CONNECTICUT
REGULATION
OF

Page 13 of 15 pages

Department of Public Utility Control

SECTION _____

(NEW)

Section 16-333-42. Term of Franchise

(a) The term of a franchise renewed, extended or transferred pursuant to Connecticut General Statutes section 16-331 and the provisions of these regulations shall be not less than five years nor more than ten years. However, at the discretion of the Department a franchise may be renewed, extended or transferred for a term of more than ten years but not more than 15 years as provided in section 16-333-42(b) of these regulations. The Department shall have the discretion to determine the length of the franchise term and in so doing shall consider the following criteria:

(1) The franchise holder's past performance in meeting the cable-related needs of the community;

(2) The franchise holder's past performance in complying with the material terms of the existing franchise;

(3) The franchise holder's compliance with the Department's regulations and the general statutes;

(4) The ability of the franchise holder's management to properly operate the franchise;

(5) The franchise holder's effectiveness in dealing with consumer requests, complaints, and billing questions or disputes;

(6) The franchise holder's effectiveness in dealing with the advisory council;

(7) The quality and diversity of the franchise holder's programming;

(8) The quality of the franchise holder's Public, Educational and Governmental access programming;

(9) The quality of the franchise holder's equipment and facilities;

(10) The franchise holder's proposals for future extensions and upgrading to technologically advanced equipment, facilities and systems;

(b) The Department may renew a franchise for a term of not more than 15 years if the franchise holder has committed to maintain technologically advanced equipment and facilities, and comply with the quality of service standards as determined by the Department.

STATE OF CONNECTICUT
REGULATION
OF

Page 14 of 15 pages

NAME OF AGENCY
Department of Public Utility Control

SECTION _____

(NEW)

Section 16-333-43. Appeal of Decision

The denial of renewal or the failure to follow the statutory procedure may be appealed within 120 days of the final decision to a U.S. District Court or the Superior Court for Hartford/New Britain. A decision is considered final only after state administrative review has been exhausted.

(NEW)

Section 16-333-44. Termination of Franchise

If a decision is made to terminate a franchise, the franchise shall continue in operation until replaced, or upon order of the Authority.

(NEW)

Section 16-333-45. Notice of Renewal Application to Subscribers

Any CATV company which applies to the Department of Public Utility Control for renewal, extension or transfer of its certificate pursuant to Connecticut General Statutes section 16-331 shall inform its subscribers of such application in the next billing statement sent to the subscribers. A CATV company shall inform its customers of the dates, times and locations of any hearings set by the Department pursuant to the CATV renewal proceeding. Such notice shall be mailed directly to the subscribers at least seven days prior to the hearing date.

Statement of Purpose: The purpose of sections 16-333-9 through 16-333f-3 is to allow compliance with Public Act 88-202, which mandates the provision of regulations to ensure that the consumer rights of cable television subscribers, as to billing, complaint procedures, termination and notification are being protected. The purpose of sections 16-333-38 through 16-333-45 is to allow compliance with Public Act 88-202, which mandates the provision of an orderly process for the renewal of cable franchises.

Section 9

Section 16-333-11 of the Regulations of Connecticut State Agencies is repealed.

Statement of Purpose: The deleted section is legally obsolete because the Department, pursuant to provisions of the Federal Cable Act of 1984, no longer has the jurisdiction to set or approve rates for cable operators.

TABLE OF CONTENTS

**Waiver of Time Requirement for Underground
Installation of CATV Service Lines**

Waiver of time requirement to underground installation ... 16-333b- 1

**Waiver of Time Requirement for Underground
Installation of CATV Service Lines**

**Sec. 16-333b-1. Waiver of time requirement for underground
installation**

(a) Definitions:

"Low Density Area," as used in this section, means any single, contiguous area where construction without contribution in aid of construction would not be required by tariffs, other regulations or orders of the Department, or by franchise agreements.

(b) Waiver Requirement:

A franchise holder may apply to the Department for a waiver of the requirement to install underground CATV cable at the same time and place as electric and telephone utilities, within its franchise territory, if:

- (1) The proposed construction is in a "low density area," and;
- (2) The owner(s) or developer of the property for which such CATV lines are to be installed has refused to prepay for said construction pursuant to applicable contribution in aid of construction requirements.

(c) Procedures:

(1) A franchise holder shall file such request for waiver with the Department and the appropriate electric and telephone utilities within fourteen (14) days from receipt of formal written notice from the lead utility coordinating the construction project.

(2) The request for waiver shall be deemed granted if notice to the contrary has not been issued by the Department within thirty (30) days following receipt of said request.

(3) All affected utilities shall desist from activities which would preclude contemporaneous underground installation of facilities by all parties concerned, until the Department has ruled on the request for waiver, or the thirty (30) days for Department action has elapsed.

(d) Standard for Granting Waiver:

Based on the items contained in subsection (e) of section 16-333b-1, the Authority will exercise sound engineering and economic judgment in determining whether a waiver shall issue.

(e) Components of Request for Waiver:

A request for waiver, filed pursuant to subsection (b) of section 16-333b-1, shall include the following:

(1) A statement of the location of the construction and a detailed description of the project, including maps.

(2) Names, affiliation, and addresses of contact persons from the telephone and/or electric utility companies involved in the joint construction.

(3) The number of dwelling units, existing and planned, to be passed by the joint construction.

(4) The number of dwelling units that would be passed by any additional plant that would have to be built in order to energize the joint construction proposed.

(5) The CATV Company's estimated share of the cost of joint construction.

(6) If the request for waiver is for the purpose of deferring contemporaneous installation, a statement accompanied by data to indicate the estimated cost of deferred or alternate installation.

(7) All other data upon which the CATV Company wishes the Department to rely when considering request for waiver.

(8) Any other additional information that the Department deems necessary to make an informed decision.

(Effective March 18, 1988)

TABLE OF CONTENTS

**Viewing Time Reliability Standards and Schedules
for Credits or Refunds for CATV Service**

Viewing time reliability standards	16-333e- 1
Filing requirements	16-333e- 2
Responsibility for responding to and resolving all service outages	16-333e- 3

Viewing Time Reliability Standards and Schedules for Credits or Refunds for CATV Service

Sec. 16-333e-1. Viewing time reliability standards

(a) Definition

(1) "Qualifying outage": For the purposes of this section, an outage qualifies for inclusion in the calculation of system reliability if it were a total loss of CATV service on all channels and meets all of the following criteria: (A) affected 50 or more subscribers, (B) occurred in whole or in part between the hours from 7:00 a.m. through 11:00 p.m. during the previous month, (C) had a duration of one hour or more between the hours from 7:00 a.m. through 11:00 p.m., but a total duration of less than or equal to 24 hours, (D) was not the result of the failure of plant or equipment associated with an extension of distribution plant first energized during the preceding 12 month period, (E) was not solely the result of loss of commercial electric power to the CATV distribution system, and (F) was not caused by subscribers.

(b) Formula for determining system reliability

(1) System reliability (SR) is to be determined monthly by each CATV company according to the following system reliability formula:

$$SR = 100\% \left(1 - \frac{\text{subscriber qualifying outage hours}}{\text{(average number of subscribers} \times \text{days in month} \times 16 \text{ hrs)}} \right)$$

where subscriber qualifying outage hours equal the summation of the products of the qualifying outage length in hours during the 16 hour period from 7:00 a.m. through 11:00 p.m. and the number of subscribers affected.

(2) The formula above shall exclude from the average number of subscribers used in the denominator of the equation those subscribers served by plant first energized during the preceding 12 months.

(c) Determination of credits and refunds

(1) When the SR falls below 99.8%, a credit, according to the schedule in subsection (d) of this section, is due all subscribers who experienced an outage during the month, and whose outage was used in the numerator of the equation to calculate the SR in subsection (b) above.

(2) The number of days credit due each qualifying subscriber shall be the same, although the total monetary credit shall be based on the individual subscriber's total monthly charge as follows:

$$\text{Credits or refunds} = \frac{(\text{number of days credit}) \times (\text{total monthly charge}^*)}{(\text{number of days in month})}$$

*includes basic service, additional outlets, premium services, etc.

(d) Schedule of credits and refunds

When the SR falls below the threshold of 99.8%, credits or refunds for bills or statements shall be applied over the next full billing cycle in which it is administratively practical to apply the credits or refunds, unless the Department rejects the calculations as provided for in subsection 2 (a) below. Credits or refunds (C/R) shall be uniformly applied according to the following schedule:

SR greater than or equal to 99.8%	No C/R
SR greater than or equal to 99.6% but less than 99.8%	0.5 days C/R
SR greater than or equal to 99.4% but less than 99.6%	1.0 days C/R
SR greater than or equal to 99.2% but less than 99.4%	1.5 days C/R
SR greater than or equal to 99.0% but less than 99.2%	2.0 days C/R
SR greater than or equal to 98.8% but less than 99.0%	2.5 days C/R
SR less than 98.8%	3.0 days C/R

shall be applied initially. If the SR falls below 98.8%, the Department shall investigate the level of service and shall take any necessary remedial action, including, but not limited to, the following: holding a hearing, determining additional credits or refunds to be given, and investigating potential improvements for the system.

(Effective November 20, 1986)

Sec. 16-333e-2. Filing requirements

(a) Calculations

Each CATV company shall calculate its system reliability monthly and provide the calculations with the list of qualifying outages underlying its calculations to the Department for its review not later than the 15th day of the month following the month for which the calculation was completed. Each CATV company shall file this information on a form, which incorporates the provisions of these regulations, to be made available by the Department. If the SR so calculated falls below the SR threshold of 99.8%, the company shall include with its filing the calculations and distribution of the credits or refunds due subscribers. Companies' filings will be deemed acceptable unless the company receives notification from the Department of its rejection of a filing on or before the last day of the month in which the calculations were filed.

(b) Implementation plan

Each CATV company shall submit an implementation plan for the application of these regulations, for the Department's review, within 30 days of the effective date of these regulations. The plan shall include, but not be limited to, the following components: descriptions of the systems to be used to gather and record the necessary data; description of the mechanism for identifying new plant, and description of the mechanism to be used to provide credits or refunds expeditiously through the billing process.

(Effective November 20, 1986)

Sec. 16-333e-3. Responsibility for responding to and resolving all service outages

(a) Outage restoral responsibilities

The requirements of sections 16-333e-1 and 16-333e-2 above do not relieve CATV companies from their continuing responsibility for responding to and resolving all service outages in an expeditious manner. Intentional delays on the part of the company in the restoral of service in order to prolong outages (i.e., beyond 24 hours) to avoid the heavier credit penalties that would otherwise be incurred is subject to Department review and investigation, and an appropriate penalty issued pursuant to § 16-41 of the CGS.

(b) Franchise conditions

The requirements of sections 16-333e-1, 16-333e-2 and 16-333e-3 are considered conditions of the franchise.

(Effective November 20, 1986)

TABLE OF CONTENTS

Planned Programming Changes

Planned programming changes	16-333f- 1
Notification required	16-333f- 2
Exceptions to 45 day notice	16-333f- 3

Planned Programming Changes**Sec. 16-333f-1. Planned programming change (PPC)**

PPC shall mean any deletion(s) to, or channel reassignment(s) within, the existing signal package offered by a franchise holder. A PPC shall include any temporary changes of channel assignment and any changes affecting 50 subscribers for over 24 hours. A PPC shall not include temporary unplanned loss of signal(s).

(Effective March 27, 1984)

Sec. 16-333f-2. Notification required

Each franchise holder shall notify the Department and the Chairperson of its Advisory Council, in writing, at least 45 days in advance of the implementation date of any PPC.

(Effective March 27, 1984)

Sec. 16-333f-3. Exceptions to 45 day notice


Should the franchise holder become aware of events that may prompt implementation of a PPC in less than 45 days, the holder shall notify the Department and the Chairperson of the Advisory Council within 2 days of receipt of said information and provide with said notice whatever information is reasonably available pursuant to Section 16-333f-2.

(Effective March 27, 1984)

TABLE OF CONTENTS

Substandard CATV Service

Substandard service	16-333i- 1
---------------------------	------------



Substandard CATV Service**Sec. 16-333i-1. Substandard service**

(a) For the purposes of P.A. 84-240, "substandard service" is defined as follows: (1) a subscriber's loss of clear picture or clear sound on one or more CATV basic or premium channels to which the subscriber subscribes, the loss of which is caused by the failure of equipment owned or controlled by the CATV operator or by the negligence of said operator, or

(2) service which violates the Federal Communications Commission's (FCC) Rules and Regulations for Cable Television Service: Technical Standards 47 C.F.R., Part 76, Sec. 76.605 *et seq.*, as hereafter amended.

(b) If, after improving substandard service, a CATV company provides either (1) clear picture and clear sound or (2) picture and sound which meet FCC requirements, the CATV company will be deemed to provide standard service.

(Effective January 18, 1985)



STATE OF CONNECTICUT
REGULATION
OF

Page 1 of 4 pages

NAME OF AGENCY

DEPARTMENT OF PUBLIC UTILITY CONTROL

SECTION _____

CATV COMPLAINT PROCEDURES

83-05-02

Section 1

Sections 16-333-8 and 16-333-9 of the Regulations of Connecticut State Agencies are amended to read as follows:

Section 16-333-8. Records

(a) Each CATV [certificate holder] COMPANY shall keep records relating to operations[, outages, and complaints,] and shall assist the [commission] DEPARTMENT in examining into any matter under investigation by the [commission] DEPARTMENT.

(b) EACH CATV COMPANY SHALL KEEP A RECORD OF ALL SUBSCRIBER COMPLAINTS, ON A FORM TO BE PRESCRIBED BY THE DEPARTMENT, HAVING TO DO WITH SERVICE, INCLUDING OUTAGES AND INTERRUPTIONS, SERVICE CALLS, INSTALLATIONS, DISCONNECTIONS, TERMINATIONS, BILLING DISPUTES, INADEQUATE LEVEL OF SIGNAL QUALITY, WORKMANSHIP, OR EMPLOYEE ATTITUDE IN SERVING THE PUBLIC. SUCH RECORD SHALL SHOW THE NAME AND ADDRESS OF THE COMPLAINANT, THE DATE AND NATURE OF THE COMPLAINT, AND THE DATE AND DESCRIPTION OF RESPONSE THERETO. RECORDS OF ALL SUCH COMPLAINTS SHALL BE KEPT FOR A PERIOD OF NOT LESS THAN THREE YEARS.

(c) ANY CATV COMPANY SHALL TIMELY SUBMIT TO THE DEPARTMENT ANY REPORT, RECORD, OR DATA REASONABLY REQUESTED BY THE DEPARTMENT IN ITS REGULATION OF CATV COMPANIES, INCLUDING WITHOUT LIMITATION, ANY INFORMATION THE DEPARTMENT REQUESTS CONCERNING A CATV COMPANY'S OPERATIONS, SERVICES, FACILITIES AND EQUIPMENT.

Section 16-333-9. Information

(a) Upon request, each CATV [certificate holder] COMPANY shall provide its subscribers reasonable information on home operation in order that safe and proper service may be furnished.

(b) EACH CATV COMPANY SHALL HAVE PERSONNEL ON DUTY AT ALL TIMES TO RESPOND IN A PROMPT AND REASONABLE MANNER TO ALL INQUIRIES, COMPLAINTS AND OTHER SERVICE REQUESTS MADE TO IT, EITHER BY PERSON, TELEPHONE OR IN WRITING. THE DEFINITION OF "PERSONNEL" MAY INCLUDE AN ANSWERING SERVICE OUTSIDE OF NORMAL BUSINESS HOURS.

(c) EACH CATV COMPANY SHALL, EVERY THREE MONTHS, PROVIDE ON BILLS, BILL INSERTS OR LETTERS TO SUBSCRIBERS THE FOLLOWING INFORMATION: (1) THE COMPANY'S TELEPHONE NUMBER(S); (2) THE DEPARTMENT OF PUBLIC UTILITY CONTROL'S CONSUMER ASSISTANCE TOLL-FREE TELEPHONE NUMBERS; (3) A SUMMARY OF THE COMPANY'S PROCEDURES FOR PROVIDING REFUNDS OR CREDITS FOR SERVICE INTERRUPTIONS PURSUANT TO SECTION 16-333e(a) OF THE CONNECTICUT GENERAL STATUTES; AND (4) A NOTICE INDICATING THAT THE COMPANY IS REQUIRED TO RESTORE INTERRUPTED SERVICE PURSUANT TO SECTION 16-333i(b) OF THE CONNECTICUT GENERAL STATUTES NOT LATER THAN TWENTY-FOUR HOURS AFTER NOTIFICATION BY A SUBSCRIBER THAT SERVICE HAS BEEN INTERRUPTED.

RECEIVED

JAN 13 1989

Dept. of Public Utility Control
CONSUMER ASSISTANCE

H
B
G
CSW
REN
P. Pomeroy
LH-2
CS
HJ
HO-HLP
LH-2
SF
12-3

3/22/90

discussed (d) with DTH and KLB @ length.

Amrac could skate with no CS logging because everyone would agree "satisfactorily explained." *

Storer/Grum could not skate because DTH would want to review whether the incident was within the operator's control. Reps should take complaints, explain. IF CUST HAPPY, SAYS "OK," {NO CUL TO CO. IF CUST ANGRY, SAYS "NOT OK"

CALL IT IN TO STORER + START THE CLOCK. IF ON 7TH DAY

PROBLEM NOT RESOLVED THEY QUALIFY even if customer has been reported to by company. Rep tracks problem, not

customer satisfaction. Storer off the hook = repair in 3 is.

* No need to begin logging if TELCOM + CS get PGB's initials or a determination that problem is "satisfactorily explained."

DTH + KLB don't know if outage plus can't reach co is 2 complaints.

<u>Company</u>	<u>Number of subscribers</u>	<u>Number of unresolved complaints</u>
New Milford Cablevision	8,660	43
Amrac (Northwest)	5,692	28
Mid-Connecticut	4,013	20
Haystack	1,986	10

The rest of the companies have a 60-complaint threshold.

STATE OF CONNECTICUT
REGULATION
OF

Page 2 of 4 pages

NAME OF AGENCY
DEPARTMENT OF PUBLIC UTILITY CONTROL

SECTION _____

(d) EACH CATV COMPANY SHALL BE SUBJECT TO A CIVIL PENALTY WHERE: (1) THE DEPARTMENT HAS RECEIVED SUBSCRIBER COMPLAINTS HAVING TO DO WITH SERVICE OUTAGES OR INTERRUPTIONS, INSTALLATIONS, DISCONNECTIONS, TERMINATIONS, SERVICE CALLS, BILLING DISPUTES, INADEQUATE LEVEL OF SIGNAL QUALITY, WORKMANSHIP OR EMPLOYEE ATTITUDE IN SERVING THE PUBLIC, THE SOURCE OF WHICH ARE FROM FACTORS WITHIN THE OPERATOR'S CONTROL, AND (2) SUCH COMPLAINTS HAVE NOT BEEN RESOLVED OR SATISFACTORILY EXPLAINED TO THE DEPARTMENT WITHIN ONE WEEK AFTER RECEIPT OF NOTICE FROM THE DEPARTMENT, AND (3) SUCH COMPLAINTS, ON A MONTHLY BASIS, EQUAL OR EXCEED A TOTAL NUMBER OF SIXTY, OR THE RATIO OF COMPLAINTS TO SUBSCRIBERS EQUALS ONE-HALF OF ONE PERCENT ON A MONTHLY BASIS, WHICHEVER IS LESS, DURING ANY TWO MONTHS IN A ROLLING SIX MONTH PERIOD.

(e) ANY CATV COMPANY, WHICH, UPON REASONABLE BELIEF AND AFTER NOTICE AND OPPORTUNITY TO BE HEARD, IS FOUND TO HAVE EXCEEDED THE NUMBER OF COMPLAINTS OR THE RATIO OF COMPLAINTS TO SUBSCRIBERS AS SPECIFIED IN SECTION 16-333-9(d)(3) OF THESE REGULATIONS, SHALL BE FINED BY ORDER OF THIS DEPARTMENT, NOT MORE THAN FIVE THOUSAND DOLLARS FOR EACH OFFENSE. EACH SEPARATE OCCURRENCE IN WHICH THE COMPANY EXCEEDS THE NUMBER OF COMPLAINTS OR RATIO OF COMPLAINTS TO SUBSCRIBERS AS SPECIFIED IN SECTION 16-333-9(d)(3) OF THESE REGULATIONS SHALL BE CONSIDERED A SEPARATE OFFENSE. THE COMPLAINTS RECEIVED IN ANY ONE MONTH SHALL NOT BE USED MORE THAN ONE TIME BY THE DEPARTMENT IN ANY PROCEEDING FOR THE ASSESSMENT OF A CIVIL PENALTY BROUGHT PURSUANT TO SECTION 16-333-9(f) OF THESE REGULATIONS. WHERE THE DEPARTMENT HAS REASON TO BELIEVE THAT A COMPANY HAS EXCEEDED THE NUMBER OF COMPLAINTS OR RATIO OF COMPLAINTS TO SUBSCRIBERS AS SPECIFIED IN SECTION 16-333-9(d)(3) OF THESE REGULATIONS, THE PROCEDURES FOR NOTICE, HEARING, ORDERS AND APPEAL SHALL BE IN ACCORDANCE WITH SECTION 16-41 OF THE CONNECTICUT GENERAL STATUTES.

(f) EACH CATV COMPANY, WHICH, UPON REASONABLE BELIEF AND AFTER NOTICE AND OPPORTUNITY TO BE HEARD, IS FOUND BY THE DEPARTMENT TO HAVE EXCEEDED THE NUMBER OF COMPLAINTS OR RATIO OF COMPLAINTS TO SUBSCRIBERS AS DEFINED BY SECTION 16-333-9(d)(3) OF THESE REGULATIONS AND HAS BEEN FOUND TO HAVE COMMITTED THREE (3) OFFENSES WITHIN ANY EIGHTEEN MONTH PERIOD PURSUANT TO SECTION 16-333-9(e), SHALL BE SUBJECT TO ADDITIONAL FINES PURSUANT TO SECTION 16-333-9(e) OR TO FRANCHISE REVOCATION, AS DETERMINED BY THE DEPARTMENT PURSUANT TO PUBLIC HEARING. THE PROCEDURES FOR NOTICE, HEARING, ORDERS AND APPEAL SHALL BE IN ACCORDANCE WITH SECTION 16-41 OF THE CONNECTICUT GENERAL STATUTES, HOWEVER WHERE A CATV COMPANY MAY BE SUBJECT TO A FRANCHISE REVOCATION, SUCH REMEDY MAY BE MADE ONLY AFTER PUBLIC HEARING.

(g) IF THE DEPARTMENT HAS REASON TO BELIEVE THAT A VIOLATION HAS OCCURRED FOR WHICH A CATV COMPANY MAY BE SUBJECT TO A CIVIL PENALTY OR FRANCHISE REVOCATION, PURSUANT TO SECTIONS 16-333-9(d), 16-333-9(e) OR 16-333-9(f) OF THESE REGULATIONS, IT SHALL SEND TO THE VIOLATOR BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, OR BY PERSONAL SERVICE, A NOTICE WHICH SHALL INCLUDE:

STATE OF CONNECTICUT
REGULATION
CF

Page 3 of 4 pages

NAME OF AGENCY _____

SECTION _____

(1) A REFERENCE TO THE SECTION OF THE STATUTE, REGULATION OR ORDER INVOLVED;

(2) A SHORT AND PLAIN STATEMENT OF THE MATTERS ASSERTED OR CHARGED;

(3) A STATEMENT OF THE AMOUNT OF THE CIVIL PENALTY PROPOSED TO BE IMPOSED AFTER NOTICE AND OPPORTUNITY FOR A HEARING; AND

(4) A STATEMENT OF THE PARTY'S RIGHT TO A HEARING AND IF FRANCHISE REVOCATION IS INVOLVED, NOTICE OF THE TIME AND PLACE FOR A HEARING.

(h) THE CATV COMPANY TO WHOM THE NOTICE OF CIVIL PENALTY IS ADDRESSED, MAY, WITHIN TWENTY DAYS FROM THE DATE OF RECEIPT OF NOTICE, DELIVER TO THE DEPARTMENT WRITTEN APPLICATION FOR A HEARING. IF A HEARING IS REQUESTED THEN, AFTER A HEARING, AND UPON A FINDING THAT A VIOLATION HAS OCCURRED, THE AUTHORITY MAY ISSUE A FINAL ORDER ASSESSING A CIVIL PENALTY UNDER THIS SECTION WHICH IS NOT GREATER THAN THE PENALTY STATED IN THE NOTICE. IF SUCH A HEARING IS NOT SO REQUESTED, OR IF SUCH A REQUEST IS LATER WITHDRAWN, THEN THE NOTICE SHALL, ON THE FIRST DAY AFTER THE EXPIRATION OF SUCH TWENTY DAY PERIOD OR ON THE FIRST DAY AFTER WITHDRAWAL OF SUCH REQUEST FOR HEARING WHICHEVER IS LATER, BECOME A FINAL ORDER OF THE AUTHORITY AND THE MATTERS ASSERTED OR CHARGED IN THE NOTICE SHALL BE DEEMED ADMITTED.

(i) ALL HEARINGS UNDER THIS SECTION SHALL BE CONDUCTED PURSUANT TO SECTION 4-177 TO 4-184 INCLUSIVE OF THE CONNECTICUT GENERAL STATUTES. THE FINAL ORDER OF THE DEPARTMENT ASSESSING A CIVIL PENALTY OR FRANCHISE REVOCATION SHALL BE SUBJECT TO APPEAL UNDER SECTION 4-183 OF THE CONNECTICUT GENERAL STATUTES. ANY CIVIL PENALTY AUTHORIZED BY THIS SECTION SHALL BECOME DUE AND PAYABLE UPON THE FINAL DECISION OF THE AUTHORITY BECOMING A FINAL ORDER PURSUANT TO SECTION 16-333-9(h) OF THESE REGULATIONS.

Statement of Purpose: To comply with Section 16-333(f) of the Connecticut General Statutes mandating regulations for responding to subscribers inquiries and complaints; providing certain printed information to subscribers; and providing for civil penalties or franchise revocation where service complaints reach an unreasonable level.

Part VIII**Construction****Sec. 16-333-13. Minimum construction and extension requirements****(a) Definitions:**

(1) Franchise holder as used in this section means any CATV operator authorized to do business by the Public Utilities Control Authority.

(2) Primary franchise area used in this section means a single, contiguous area within the franchised territory, the outer limits of which shall be as near as possible to 80 residential dwelling units per mile of street or highway, and which shall have been selected by the franchise holder and approved by the DPUC.

(3) Residential dwelling unit (R.D.U.) as used in this section means any habitation used by a person or family unit as a primary place of abode on a year-round basis.

(4) Prospective subscriber as used in this section means any owner or occupier of a residential dwelling unit or commercial establishment who has agreed to purchase CATV service in accordance with the franchise holder's filed and approved tariffs.

(5) Aerial plant as used in this section means CATV cable and equipment other than individual service cable placed above ground on public service company poles or other supporting structures, aerial plant miles shall include any direct line distance spanned by microwave.

(6) Underground plant as used in this section means CATV cable and equipment other than individual service cable, placed in trenches.

(b) Mandatory construction:

(1) Each franchise holder shall, within six months of award of a certificate of public convenience and necessity (franchise) or within six months of the effective date of these regulations, whichever is later, commence construction of the CATV system unless a longer period of time is deemed reasonable by the DPUC.

(2) Each franchise holder shall, within one year of commencing construction, complete construction of energized trunk and feeder throughout the primary franchise area, without regard to aerial or underground plant.

(c) Obligation to extend:

(1) Each franchise holder shall, within one year of completion of the required construction in the primary franchise area, complete construction of energized trunk and feeder to all areas where there are at least 70 R.D.U.'s per aerial plant mile of extension, at no charge to subscribers.

(2) Each franchise holder shall, upon completion of the construction required in c. 1. above, extend energized trunk and feeder, at no charge, to all areas within the